

Monday, February 12, 2018

Judge Steven C. Beckman  
Commonwealth of Pennsylvania  
400 Market Ave. Second Floor  
Harrisburg, PA                      hardcopy mailed to Environmental Hearing Board  
P.O. Box 8457  
Harrisburg, PA 17105-8457

Re: Lawson v Department of Environmental Protection, No. 2017- 051-B

Dear Judge Beckman:

Enclosed please find copies of a Petition to Intervene filed by fax on February 9, 2018 by Damascus Citizens for Sustainability, Inc. In support of Appellant, Ms. Siri Lawson. Filed with this petition are a Brief in Support of the Petition, an Affidavit of Ms. Lawson, an Affidavit of Ms Barbara Arrindell, Director of DCS, a proposed Order granting the Petition, a Verification by Ms. Arrindell, and a Certificate of Service.

Respectfully submitted,

John J Zimmerman  
Counsel for Damascus Citizens for Sustainability, Inc.  
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(240) 912-6685 (office)  
(202) 262-9664 (cell)

and



Barbara Arrindell  
Director  
Damascus Citizens for Sustainability

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COMMONWEALTH OF PENNSYLVANIA  
BEFORE THE ENVIRONMENTAL HEARING BOARD

SIRI LAWSON, Appellant :  
:  
: EHB Docket No. 2017-051-B  
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COMMONWEALTH OF :  
PENNSYLVANIA, DEPARTMENT :  
OF ENVIRONMENTAL :  
PROTECTION, Appellee :  
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and :  
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HYDRO TRANSPORT, LLC, :  
Permittee, :  
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and :  
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FARMINGTON TOWNSHIP, :  
Intervenor :  
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and :  
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PENNSYLVANIA STATE :  
ASSOCIATION OF TOWNSHIP :  
SUPERVISORS :  
Intervenor :

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PETITION TO INTERVENE  
BY DAMASCUS CITIZENS FOR SUSTAINABILITY, INC.

Damascus Citizens for Sustainability, Inc., by its undersigned counsel, files this Petition to Intervene pursuant to 35 P. S. § 7514(e) and 25 Pa. Code § 1021.81 and respectfully requests that the Environmental Hearing Board (“Board”) issue an order granting intervention to DCS. The appellant in this matter, Ms. Siri Lawson, has demonstrated that she has a substantial, direct and immediate interest in the outcome of this case and therefore has standing to pursue this appeal. Ms. Lawson also is a member of DCS and therefore DCS has organizational standing.

Alternatively, DCS has demonstrated that its environmental protection and public health protection goals will be affected in a substantial, direct and immediate way if the Board rejects the appeal (i.e. appellant and DCS lose) or if it rules in favor of the appellant (i.e. Appellant and DCS win). Therefore, DCS has demonstrated that it has organizational standing and its own direct standing in this case.

The Environmental Hearing Board Act provides that any interested party may intervene in any pending matter before the Board. *See*, 25 Pa. Code § 1021.81 (a person may intervene in any matter prior to the initial presentation of evidence). The Board has held that the right to intervene in an appeal is comparable to the right to appeal in the first instance, and therefore an intervenor must demonstrate that that he or she has standing. *Logan v. DEP*, 2016 EHB 531, 533; *Wilson v. DEP*, 2014 EHB 1,2; *Pileggi v. DEP*, 2010 EHB 433,434. To have standing the party must demonstrate that it has a substantial, direct and immediate interest in the outcome of the appeal. *Logan*, 2016 EHB at 533. A party seeking

intervention must either gain or lose by the direct outcome of the Board's decision in order to have an interest that supports its standing. Ms. Lawson and her family are exposed to hazardous, toxic and carcinogenic chemicals each time these hazardous substances are disposed of by spreading on unpaved roads in their area. Their exposure and resulting adverse health impacts are immediate, direct and substantial. Therefore Ms. Lawson has standing to appeal DEP's approval of brine spreading plans that endanger her health and the health of her family.

As counsel to DCS, we have attempted to determine the position of the current parties regarding our petition. Counsel for Farmington and PSATS will oppose our petition, counsel for DEP takes no position on the petition, counsel for the permittee could not be reached, and counsel for Ms. Lawson support our petition. We respectfully request that the Board grant our petition to intervene in support of the appellant.

Respectfully submitted,

Date: February 9, 2018

/s/ J. J. Zimmerman

*Pro hac vice (pending)*  
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**COMMONWEALTH OF PENNSYLVANIA  
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<b>PROTECTION, Appellee</b>	:
	:
<b>and</b>	:
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<b>HYDRO TRANSPORT, LLC,</b>	:
<b>Permittee,</b>	:
	:
<b>and</b>	:
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<b>FARMINGTON TOWNSHIP,</b>	:
<b>Intervenor</b>	:
	:
<b>and</b>	:
	:
<b>PENNSYLVANIA STATE</b>	:
<b>ASSOCIATION OF TOWNSHIP</b>	:
<b>SUPERVISORS</b>	:
<b>Intervenor</b>	:

**BRIEF IN SUPPORT OF PETITION TO INTERVENE  
BY DAMASCUS CITIZENS FOR SUSTAINABILITY, INC.**

Damascus Citizens for Sustainability, Inc. ("DCS"), by its undersigned counsel, files this brief in support of its Petition to Intervene in the appeal by Ms. Siri Lawson of a plan approval by the Department of Environmental Protection to Hydro Transport, LLC ("Hydro") to spread liquid wastes produced by the oil and gas industry on unpaved roads in Farmington and Sugar Grove Townships in Warren County, Pennsylvania. This plan approval would allow the oil and gas industry to dispose of millions of gallons of contaminated wastes by spreading this material on unpaved roads in the townships. This activity will have a significant adverse impacts on DCS and its members. Pursuant to 35 P. S. § 7514(e) and 25 Pa. Code § 1021.8, DCS respectfully requests that the Environmental Hearing Board ("Board") issue an order granting our petition to intervene.

## **I. BACKGROUND**

1. DCS is a non-profit 501(c)(3) grassroots citizen organization dedicated to protecting public health and the environment from impacts caused by the oil and gas industry. Since its founding in 2008, DCS has dedicated its activities and its resources to working with federal, state and local organizations on a regional, national, and international level to educate regulatory agencies and the public about the adverse and most often irreversible environmental impacts of oil and gas development. This is especially true for the contamination and impacts

caused by the predominant technology used on 95% of all new oil and gas well operations, known as high volume hydraulic fracturing ( “HVHF” or as the totality of the processes involved are often known as “fracking”).

2. Appellant, Ms.Siri Lawson, has been a member of DCS since 2008. Her most significant contribution over the years to the organization has been on oil and gas waste disposal issues and, in particular, the disposal of contaminated liquids that are produced by the millions of gallons at the well head. These waste materials are a combination of the post-fracturing flowback of injected fluids, highly saline formation fluids, and other chemicals and hazardous liquid materials released by the fracturing. These oil and gas waste fluids are called “brine” and application of this brine has been classified by some townships and counties in Pennsylvania and New York as a “beneficial use” of the material for dust control and road stabilization on unpaved roads and as a deicer in winter.

3. As discussed in the attached affidavit of Ms. Barbara Arrindell, Director of DCS, the oil and gas industry waste fluids classified as “brines” contain large concentrations of toxic substances including heavy metals (barium, chromium, cadmium, lead, and radium), volatile toxic chemicals (including benzene, ethylbenzene, toluene and xylene – often referred to as BTEX), surfactants (such as 2-butoxyethanol) pesticides, corrosive materials (chlorides, bromides, and ammonium), carcinogenic and radioactive substances including

uranium, radium, radon, and the radioactive decay products of these radioactive elements. We never know the actual formulation for any particular well because the oil and gas companies have exemptions from major provisions of various environmental protection laws and further withhold this information claiming business confidentiality. We recently obtained a chemical analysis of the hazardous and toxic substances in oil and gas waste materials proposed to be spread over a commercial space as a dust deterrent. The table of results shows that the concentrations of many materials were orders of magnitude greater than EPA maximum contaminant levels. This data is reproduced and discussed in more detail in Ms. Arrindell's affidavit.

4. Spreading fracking waste material on unpaved roads allows the waste solution to be absorbed into the soils beneath the road surface and in the ditch on either side of the road. Eventually the more soluble components of the chemicals spread on unpaved roads will reach groundwater, contaminating it so as to make it unsuitable for drinking, bathing and other domestic uses. Agricultural uses, such as drinking water for livestock and domestic animals, can become contaminated and deaths among farm animals and pets due to oil and gas activities have been reported across the Commonwealth.

5. Increasingly, adverse health impacts have been documented in areas where brine spreading has been permitted. As described in Ms. Lawson's affidavit

attached to this brief, she has had her family's health significantly compromised by exposure to brine material from the oil and gas industry.

6. Ms. Arrindell's affidavit also discusses interim results of detailed health effects surveys conducted by DCS under a protocol developed with the Agency for Toxic Substances and Disease Registry ("ATSDR"). Attached to Ms. Arrindell's affidavit is the symptoms reporting form that is part of the DCS/ATSDR Survey Form.

7. In approximately half of the 45 PA surveys completed and filed with ATSDR to date, responding households report brine spreading on roads as one of the industry activities that have adversely affected their quality of life. In their Surveys they list a number of adverse effects such as chronic headaches, nose bleeds and other sinus conditions, respiratory issues, skin irritation, nausea, and significant joint and back pain that have occurred since drilling activities began around them. These families live in areas mostly served by dirt, gravel or unpaved roads.

8. DCS has compared DEP lists of municipalities where brine spreading has been approved to where these families live and found that 3/4 of the households reporting brine being put on local roads are in municipalities without permits from the state to do brine spreading. Ms. Arrindell reports that DCS has

under way a review of areas where brine spreading has been approved and where these health impacts have been found.

## LEGAL ARGUMENT

9. The Environmental Hearing Board Act provides that any interested party may intervene in any pending matter before the Board. See, 25 Pa. Code § 1021.81 (a person may intervene in any matter prior to the initial presentation of evidence). The Board has already held in this case that a statewide organization representing townships, the Pennsylvania State Association of Township Supervisors (PSATS), has standing to intervene where the Board has held that one party (Farmington) affiliated with the PSATS organization has standing to intervene. See, *Opinion and Order dated November 3, 2017, slip opinion at 3*. (“An organization has standing if at least one individual associated with the group has standing.”). Similarly, DCS should be granted intervention as an organization where one of its members or affiliated parties, Ms. Siri Lawson, has standing. See, *Funk v. Wolf*, 144 A3d 228, 243-224 (Cmwlth 2016), A person is sufficiently aggrieved under Pennsylvania's prudential standing requirement "if he can establish that he has a substantial, direct[,] and immediate interest in the outcome of the litigation," See, *Fumo v. City of Philadelphia*,, 601 Pa. 322, 972 A.2d 487, 496 (Pa. 2009) . As explained in *Funk*:

“A party has a substantial interest in the outcome of litigation if his interest surpasses that of all citizens in procuring obedience to the law.\* \* \* An

interest is direct if there is a causal connection between the matter complained of and the harm alleged. An interest is immediate when the "causal connection is not remote or speculative."

10. DCS has standing in its own right if the outcome of this case would deny the relief Ms. Lawson is seeking in her appeal. The affidavits by Ms. Lawson and Ms. Arrindell and the materials discussed in these affidavits demonstrate in detail that DCS has a substantial, direct and immediate interest in the outcome of this appeal. Intervention in an appeal is comparable to the right to appeal in the first instance, and therefore an intervenor must demonstrate that he or she has standing. See, *Logan v. DEP*, 2016 EHB 531, 533; *Wilson v. DEP*, 2014 EHB 1,2; *Pileggi v. DEP*, 2010 EHB 433,434. To have standing the party must demonstrate that it has a substantial, direct and immediate interest in the outcome of the appeal. *Logan*, 2016 EHB at 533; *Fumo v. City of Philadelphia*, 972 A2d 487,496 (Pa Supreme Ct,2009); *Wm Penn Parking Garage v. Pittsburgh*, 346 A2d 269 (Pa Supreme Ct, 197 and similar cases.

11. A party seeking intervention must either gain or lose by the direct outcome of the Board's decision in order to have an interest that supports its standing. If the Board rules that the spreading of brine fluids does not require more than a loosely defined once a year "plan approval" Ms. Lawson will be substantially, directly and immediately impacted by the Board's denial of her appeal.

12. A decision in this appeal unfavorable to Ms. Lawson would also unfavorably impact DCS' efforts to protect public health and the environment from exposure to hazardous and toxic chemicals in the brine materials being spread on unpaved roads across many townships in Pennsylvania. The PSATS petition to intervene in this case asserts that it represents over 1400 township across the Commonwealth and lists over a dozen townships that are either engaged in or very interested in brine spreading. Under the current requirements provisions of the Clean Streams Law are being violated.

13. Disposal of the brine wastes by spreading it on unpaved roads will significantly increase the exposure of DCS members and affiliates to toxic materials in the water, air and land where the spreading is occurring and downstream. If brine spreading continues to be allowed broadly across Pennsylvania it will undermine DCS ability to protect the environment and individuals living in close proximity to brined roads, roadsides, other areas where they would be exposed to airborne contaminants or surface or groundwaters contaminated by chemicals in the brine materials or downstream in impacted waterways.

14. Ms. Lawson has presented in her affidavit attached to this brief that her health has been heavily impacted by exposure to the brine spreading chemicals applied to the unpaved roads that she and other members of her family use daily.

The adverse impacts to her health and other members of her family have been and will continue to be substantial, direct, and immediate. Clearly, she has standing to challenge the plan approval for the brine spreading activity near her.

15. It is well established that in Pennsylvania when an individual has standing, an organization of which he or she is a member or to which he or she is affiliated will also have standing. See, *Friends of Lackawanna v. DEP*, 2016 EHB 641,643 (“An environmental organization has standing in its own right if its mission includes protection of the environment in the area affected by the Department’s action.”) See also, *Funk v. Wolf*, 144 A.3d 228 (Pa. Cmwlth, 2016)() and *Friends of the Earth v. Laidlaw Env’tl. Servs. (TDC), Inc.* 528 U.S 167, 183 (2000) at 29-30 n. 12.

16. The Board in this case has already applied this precedent to grant intervention to PSATS based on its determination that Farmington township has standing and that the township is a PSATS member.

17. We respectfully assert that DCS has standing derived from Ms. Lawson’s standing and her DCS membership and her affiliation with DCS on environmental and public health issues.

18. DCS also has standing in its own right.

## CONCLUSION

For the foregoing reasons, we respectfully request that the Board GRANT  
our Petition to Intervene.

Respectfully submitted,

Date: February 8, 2018

/s/ J.J. Zimmerman

John J. Zimmerman

*Pro hac vice*

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**AFFIDAVIT OF SIRI LAWSON  
AS MEMBER OF DAMASCUS CITIZENS FOR SUSTAINABILITY, INC.**



I, Sri Lawson, do hereby affirm and state that:

1. In 2009 my husband and I moved to our current residence on Lindell Road which is in Farmington Township, Warren County, PA. Lindell Road is an unpaved, dirt road. Most of the roads in Farmington Township and those surrounding Lindell Road are unpaved dirt roads.
2. In 2011, Farmington Township began allowing Lindell Road to be repeatedly spread with oil and gas wastewater (brine). I counted over 30 loads of brine spread on Lindell Road during 2011.
3. My husband and I complained verbally to Farmington Township about the excessive brine spreading. I wrote complaint letters to Farmington Township Board of Supervisors, the PA Department of Environmental Protection and the federal Environmental Protection Agency. The local newspaper ran an article about the brine situation. After each complaint Farmington Township would assure us that Lindell Road would not get brined. The brining was not completely stopped and has continued through 2017.
4. I react acutely to the brine spreading with wheezing, infection and many other symptoms. In 2011, when they began the excessive spreading in earnest, I was diagnosed with life-threatening adrenal insufficiency. I developed such acute gastric reflux that radical surgery was prescribed. I developed abnormal nodules and cysts in my thyroid, liver, breasts, ovaries, lungs and sinus. I developed abnormally high ParaThyroid and eosinophil levels.



5. In 2012 the number of loads of brine spread on Lindell Road dropped to seven. In late 2012, my husband, Wayne, had two back to back heart attacks. He was hospitalized for 18 days and received multiple stents. He was asked on the operating table if he had been exposed to chemicals as this was the type of heart attack linked to chemical exposure.

6. By my count, I noted five loads of brine spread on Lindell Road in 2013; In 2014, I counted seven loads of brine spread. In 2015, there were multiple days in July and August when brine was spread on Lindell road. After each load either my husband or myself contacted the Township to complain. There were multiple occasions when I contacted the PA Department of Environmental Protection. I experienced adverse health impacts similar to those described above and below during each brine spreading event.

7. Despite aggressive treatment, my adrenal insufficiency continued to worsen. Persistent angina sent me to a cardiologist. I developed a fibromyalgia-type syndrome, a rib-cracking cough and neuropathy. I had no ability to fight off respiratory infections. Continued exposure to brine worsened these conditions.

8. In 2016, I was treated by doctors from Cleveland Clinic. My exposure to endocrine disrupting chemicals from brine was noted and discussed. Endocrinologists at Cleveland Clinic changed the diagnosis of adrenal insufficiency to adrenal suppression. I was told I had developed iatrogenic Cushings disease. I had been being treated with high doses of steroids which are



the standard treatment to control inflammatory and allergic reactions like I exhibited after exposure to each brine event. I had began reacting to the high steroid doses. I could **no longer use steroids as a safe treatment for environmental exposures, injuries or illness. Steroids can - or will - now kill me.**

9. In August of 2016, after Lindell Rd got brined, I had a violent response. For nearly 10 days, especially when I got near the road, I reacted with excruciating eye, nose and lung burning. My tongue swelled to the point my teeth left indentations. My sinus reacted with a profound overgrowth of polyps, actually preventing nose breathing. In September of 2016 Lindell Road again got brined. Again I violently reacted. The polyps required surgical intervention and in December 2016 I had sinus surgery, skin cancer surgery and a suspected cancerous cervical polyp removed. Earlier in the year, a large cyst in my leg was removed. During this time period, two of my female dogs each had a large polyp-like growth on their external genitalia.

10. In June of 2017, Farmington Township graded and raked Lindell Rd. They left behind inches of loose brine saturated road dirt. That loose brine saturated road dirt caused a tremendous dust issue. Water courses along Lindell turned nauseating colors after run-off events.

11. I reacted to the dust by re-growing the recently surgically removed nasal polyps. I experienced profound wheezing, coughing and subsequent sinus, ear and



lung infections. My Ear Nose and Throat specialist opined the polyp re-growth combined with my inability to tolerate large doses of steroids left me with no viable options for treatment. In July 2017 Lindell Road got brined once. I reacted as I had in prior brine events. I was in misery.

12. My doctor asked me to join a research project at University of <sup>Pennsylvania</sup> ~~Pennsylvania~~ <sup>UPMC</sup> Medical Center after the dust exposure, I would be tested for ciliary dyskensia. It was found I had developed severe secondary ciliary dyskensia. I am unable to flush mucus or bacteria or viruses out of my system. It was discovered my lungs were nearly opaque, functional only because I still had a strong cough mechanism. My susceptibility to infection is overwhelming. My lung doctor has suggested treatment (experimental) with Nucala in a last ditch effort to thin mucus.

13. Brine has dramatically impacted our lives in other ways. Brine has caused our vehicles to rust more quickly than normal, often causing dangerous equipment failure and high maintenance costs.

14. From my personal observations and experiences dirt roads that are brined dry out more quickly after brining and result in even more dust than if the roads had not been brined. Vehicular traffic on these brined dried roads produces clouds of dust. This same dust caused by the over-brined roads penetrates our home and barn. It causes items in the home to prematurely rust, it also collects on surfaces such as fans, house siding, and windows.



15. Each time the roads are brined, the brine causes the road to become very slick and difficult to travel over. Vast amounts of sticky brine mud coat vehicles and buggies. Add seasonal moisture and the roads fill with ruts and potholes.

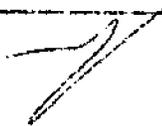
16. Because surface water contamination from brining is very visually apparent, I am worried about ground and well water contamination. In our case, we have a water well with multiple filters that need frequent changes. Because of the appearance of the filters, we drink only bottled water.

17. At public meetings in 2016-17, Hydro Transport, LLC, as well as Farmington Township Supervisors repeatedly invited residents to inspect or photograph Hydro Transport while spreading brine. Residents were repeatedly invited to identify whether or not Hydro Transport was using a spreader bar. In 2017, I encountered Hydro Transport twice and took pictures. Hydro Transport, charged me twice with harassment for taking those pictures while he was spreading on a public road.

18. During the Thanksgiving holiday, 2017, my house was broken into. Notes and pictures related to brine spreading, medical records, test results, and research papers, appeared to be the only items taken. A police report was filed.

I declare subject to the penalties of 18 Pa. C.S. § 4904 regarding unsworn falsification to authorities that the foregoing is true and correct to the best of my personal knowledge.



  
\_\_\_\_\_  
Sir Lawson

1/31/18  
Date



I, Barbara Arrindell, do hereby affirm and state:

1. I am the Director of Damascus Citizens for Sustainability, Inc. (“Damascus Citizens”) and Chair of Damascus Citizens’ Board of Directors. I have held both these positions since co-founding Damascus Citizens in 2008.
2. Damascus Citizens is a nonprofit, grassroots organization dedicated to protecting clean air, land, and water from pollution caused by the fossil fuel extraction industry, primarily looking at oil and gas. We work to provide individuals and communities directly threatened by their processes with the tools necessary to defend themselves. To this end, we routinely provide individuals in Pennsylvania and across the country (and internationally) with information about the way fossil fuels are extracted, processed, etc., the risks those processes pose to human health and the environment, and the federal, state, and local laws, regulations, and policies that govern fossil fuel extraction and related processes.
3. Currently, 4,334 people are signed up as members of Damascus Citizens. We don’t require our subscribers to provide their home address; of those that do, more than 500 subscribers list a primary address in Pennsylvania. Many other subscribers have a secondary address in Pennsylvania, own property or have relational or business interests in the Commonwealth, or visit regularly to see family or to enjoy Pennsylvania’s amenities. Individual supporters contribute close to one-half of Damascus Citizens’ operating budget.

4. DCS's mission is to protect public health and safety from impacts of the oil and gas industry. While its *raison d'etre* is to respond to hydraulic fracturing, since its inception it has been highly involved in the impacts of, and the regulation and oversight of natural gas production in Pennsylvania, from production to end user with attention to the wastes produced at each stage and their subsequent disposal. For the oil and gas industry "brine" spreading is a disposal method, which impacts DCS members and impacts DCS's ability to fulfill its mission - i.e., protection of public health. The substantial, direct and immediate impact if we lose the appeal will be that our members will have more "brine" health problems; regulatory oversight would be less even than it has been and water and air impacts would increase. The Pennsylvania Constitution's Environmental Rights Amendment , Article 1, Section 27, specifically protects current and future generations from these sort of impacts.

5. Based on my understanding of the scientific and industry literature and my personal observations in Pennsylvania and elsewhere, I believe oil and gas extraction poses an unacceptable threat to individuals, communities, and irreplaceable natural resources.

6. In the areas where the industry has already taken hold, including places within Pennsylvania, our supporters rely on Damascus Citizens to advocate for strong government regulations and conscientious enforcement. or other changes with the goal of reducing health and community impacts of fossil fuel practices.

7. My interest is of long standing in the practice of what I will call dumping or disposal of drilling production wastes, but is referred to as "brine" spreading by the those in favor of the practice. The industry has known for decades about both the inability to prevent damages from the drilling and from the wastes and their need to avoid liability for the damages they knew would ensue moving into more populated places than they had been working. Over a number of years, the oil & gas industry lobbied to create exemptions to eliminate liabilities under the basic environmental protection laws that were put in place in the 1970's. One of industry's first victories in 1980, was to make oil & gas wastes "special" so that these wastes would not be subject to the rigorous "cradle to grave" regulatory programs of the nation's hazardous waste law known as the Resource Conservation and Recovery Act (RCRA). The effect of the Bentsen Amendment was to exclude oil & gas wastes from the waste characterization, manifesting, tracking, and disposal restrictions in RCRA by labeling the wastes, "special.". Then the big win for the industry came 25 years later in the 2005 Energy Policy Act when the industry got exemptions from major provisions of seven national environmental laws. See <http://www.damascuscitizensforsustainability.org/2009/05/natural-gas-politics/> and [https://www.earthworksaction.org/files/publications/FS\\_LoopholesForPollutersNEW.pdf](https://www.earthworksaction.org/files/publications/FS_LoopholesForPollutersNEW.pdf).

8. On top of that I have observed a 'dump and forget about it' culture in Pennsylvania that encourages practices like this waste dumping or "brine"

spreading that go counter to the Environmental Rights Amendment. The more I learned about the contents of and the potential impacts from these wastes the more alarmed I have become. See <http://www.damascuscitizensforsustainability.org/2014/10/chemicals-used-hydraulic-fracturing/> and <https://endocrinedisruption.org/audio-and-video/oil-and-gas-basics>. The oil and gas industry and DEP characterizes the spreading of "brine" materials as a beneficial use. In reality, the practice is nothing more than the lowest possible cost waste disposal or dumping and with the potential to avoid liability at the same time. The materials the industry calls "brine" are nowhere near as benign as they would have us believe. Industry fights to avoid disclosing the actual chemical makeup of the waste materials disposed of by "brine" spreading. Attached (as paragraph 21) to this affidavit is the one very rare, fairly detailed analysis of "brine" to be spread that we have been able to find. It was prepared for a commercial site whose owners required of the spreader specifics about what was to be used there for dust control. Most of the PA DEP required, once a year, 'typical' (DEP wording) analyses are very incomplete, old, or missing entirely as far as we have been able to find out via FOILs and RTK requests filed by others. The quantities of heavy metals, TDS, BETX chemicals and other chemicals listed are orders of magnitude over what are considered safe levels.

9. Source of the liquid wastes being spread as "brine" in north western PA: the wells the wastes are from are considered 'conventional' and as such have reduced

regulatory oversight on them and their wastes in PA. They are most all of them in reality, but perhaps not in name, unconventional gas and oil fracked wells.

According to DEP and local sources the gas wells in the Warren County and surrounding area are vertical wells into the Medina layer and are all fracked, the oil wells are into Bradford, Devonian and other layers. They are shallow wells (1,800 ft or less), are mostly vertical (some horizontal or directional) and most are fracked.

**over 2/3 of all existing gas wells were fracked.**- federal Energy Information Agency (EIA) and federal Department of Energy (DOE)<https://www.eia.gov/todayinenergy/detail.php?id=26112>

**over 1/2 of all existing oil wells were fracked** <https://www.eia.gov/todayinenergy/detail.php?id=25372>

**"up to 95% of all new wells" since 2013 are fracked** - US Dept. of Energy, [How is shale gas produced?](https://energy.gov/sites/prod/files/2013/04/f0/how_is_shale_gas_produced.pdf), Apr. 2013 [https://energy.gov/sites/prod/files/2013/04/f0/how\\_is\\_shale\\_gas\\_produced.pdf](https://energy.gov/sites/prod/files/2013/04/f0/how_is_shale_gas_produced.pdf)

So according to the EIA and the DOE the majority of existing and almost all new gas and oil wells today are fracked therefore we can use what we know of the substances contained in fracking fluids and then released from fracked wells (both what is introduced and what is released from formation layers) and toxicity data from fracked wells and wastes when talking about gas oil well "brine".

10. Over the years DCS has publicized the contents of oil & gas wastes (for example, "Toxicological Analysis Ohio Brines" now on our website: <http://www.damascuscitizensforsustainability.org/2012/02/toxicological-analysis-of->

ohio-brines/ ) being spread as “brine”, we commented on attempts to extend the practice statewide (2011 DCS' Hydroquest comments for example [http://hydroquest.com/Hydrofracking/HydroQuest%20Brine%20Disperal%20Letter%2011-15-11\(W\).pdf](http://hydroquest.com/Hydrofracking/HydroQuest%20Brine%20Disperal%20Letter%2011-15-11(W).pdf) ) and worked to have 'ordinary' citizens, scientists, policymakers, journalist and the medical community be more cognizant of the dangers of oil & gas wastes. DCS was a major contributor to start the compilation of health impact materials that became Concerned Health Professionals of New York's, Compendium, <http://concernedhealthny.org> in 2011.

11. This work led us to develop the Health and Community Impacts Survey, <http://www.damascuscitizensatsdr.org> that looks at oil and gas exploration and production practices' impact on the health of people near the activities and the impact on nearby communities.

12. DCS is conducting health effects surveys of its members and other interested individuals under a protocol developed with the Agency for Toxic Substances and Disease Registry to collect and evaluate adverse health effects from exposure to contaminants from the oil and gas industry. As part of this affidavit (as paragraph 20) is the symptoms reporting form that is part of the DCS/ATSDR Survey.

13. In approximately half of the 45 PA surveys completed and filed with ATSDR to date, responding households report "brine" spreading on roads as one of the industry activities that have adversely affected their quality of life. In their

Surveys they list a number of adverse effects such as chronic headaches, nose bleeds and other sinus conditions, respiratory issues, skin irritation, nausea, and significant joint and back pain that have occurred since drilling activities began around them. These families live in areas mostly served by dirt/gravel or unpaved roads.

14. Our Survey takers report "brine" spreading where there were no permits filed at least in the years 2014, 2015 and 2016 the only years for which we have DEP "brine" permit and reporting data. Looking at that data, 16 of the 20 households reported "brine" spreading in their townships/counties which had no permits. DCS has under way a further review of areas where "brine" spreading has been approved and where these health impacts have been found. Approximately 34 counties in Pennsylvania have current or recent oil gas drilling and development activity to date. Respondents participating in our Health Effects Survey so far are from 13 of these counties. Due to confidentiality concerns we have promised our survey respondents that we will only release personal information with their approval. If the Board would like to have their personal information we will contact them to obtain their approval to share their information with the Board.

15. This situation would only be worse if there were even less regulation. Road spreading of "brine" is not that different from illegal dumping. The material spread is supposed to be from conventional wells, but today almost all are fracked (according to the DOE 95% pf all new wells are fracked - see paragraph 9) and

there is research on the chemicals and radioactivity in stream sediment where wastes from conventional wells were dumped that has measured 600 times the EPA drinking water standard for radioactivity; see abstract here: <http://pubs.acs.org/doi/abs/10.1021/acs.est.7b04952>. We have not seen any analysis even looking for radioactivity in the "brine" spread on roads, though these "brines" are supposed to be also from conventional oil and gas wells.

16. DCS and Siri Lawson: DCS met Siri Lawson in 2008 when she mailed us the first of many single spaced, multi-page typed letters describing her experiences, and that of the communities she has lived in, with gas and oil drilling - in western NY and north western PA. She found us on the internet and has been a colleague, source of key information and contributor ever since. Though mostly she has not had email, we have written, faxed and talked on the phone many times over the 10 years. I introduced her to Michelle Bamberger who featured Siri as one of seven households with human and animal impacts from drilling in her peer reviewed article published Jan, 2012 (and later online in 2016 - <http://journals.sagepub.com/doi/abs/10.2190/NS.22.1.e>) followed in 2015 by an expanded version in her book, *The Real Cost of Fracking*:<https://www.penguinrandomhouse.com/books/229020/the-real-cost-of-fracking-by-michelle-bamberger-and-robert-oswald/9780807081419/>.

17. If there is more or continued "brining", health impacts will increase of the sort Siri and her husband, Wayne, those in her and other communities have experienced

near "brined" roads.

18. The following is an abridged summary of DCS' involvement with gas oil production waste issues and contents.

**In 2008:** DCS held two major presentations in the upper Delaware region attended by overflow crowds

-**May 1, 2008** - Hickory, PA is the source of some of the first stories about gas drilling in the Eastern part of the US. DCS videotaped important interviews with Hickory residents, and on May 1, 2008, DCS held a public meeting attended by over 400 people. The audience watched in stunned silence as a slideshow of impacts and those interviews were shown for the first time. DCS has also provided these videos for public viewing via YouTube, the DCS website and the distribution of thousands of DVDs. One of the slides that day showed concerns about both what is introduced in the drilling processes and what is released from the formation layers where the gas or oil come from - the very materials that are spread as "brine."

The late Dr. Theo Colborn of Paonia, Colorado was an award-winning environmental health expert, co-author of *Our Stolen Future* and founder of the Endocrine Disruption Exchange. She had become one of the nation's leading authorities on the hazards of gas and oil drilling. On **May 30, 2008**, DCS held another overflow attendance meeting where DCS arranged for Dr. Colborn to conduct a live-remote Power Point presentation. In her talk, Dr.

Colborn discussed the long list of chemicals used in hydraulic fracturing and released from formation layers, 91% of which, she said, are hazardous to human health and many are found in the wastes, liquid and solid.

Additionally in 2008, DCS started its website and has had a continuous web presence since - called, "the deep-dish of fracking information"- we have kept the science based analysis of impacts of drilling including impacts from waste disposal in the public eye. We have answered questions from community groups, individuals, policy-makers, journalists of all sorts and distributed thousands of copies of papers, DVDs, and CDs.

**2009** - Obtained and began publicizing 'Toxicological Analysis Ohio Brines' now on our website: <http://www.damascuscitizensforsustainability.org/2012/02/toxicological-analysis-of-ohio-brines/>

**2010** - published award winning What's in the Water poster that describes in accessible text and illustrations the processes and impacts involved in drilling that is fracked including about wastewater and wastewater disposal.

- release of the movie *Gasland* - Josh Fox's *Gasland* is a film about the devastating health impacts of gas drilling in Colorado, Wyoming, Texas, and Pennsylvania. Milanville, Pennsylvania resident Josh Fox is a filmmaker and Artistic Director of the International WOW Company. DCS provided both initial funding and critical background information for the production of this provocative film, which set Josh on an 8,000 mile odyssey. Released in

January 2010 *Gasland* was nominated for an Academy Award in 2011 and is dedicated to DCS. The film goes into the health consequences of the wastes, among other issues.

2011 - publicized Conrad Volz' work [http://](http://www.damascuscitizensforsustainability.org/2011/03/contaminant-characterization-of-effluent-from-pennsylvania-brine-treatment-inc-josephine-facility/)

[www.damascuscitizensforsustainability.org/2011/03/contaminant-characterization-of-effluent-from-pennsylvania-brine-treatment-inc-josephine-facility/](http://www.damascuscitizensforsustainability.org/2011/03/contaminant-characterization-of-effluent-from-pennsylvania-brine-treatment-inc-josephine-facility/)

- Had technical comments prepared by Paul Rubin, Hydroquest when PA was pushing to allow spreading, actually dumping, of drilling waste anywhere in the state via a general permit: [http://hydroquest.com/Hydrofracking/HydroQuest%20Brine%20Disperal%20Letter%2011-15-11\(W\).pdf](http://hydroquest.com/Hydrofracking/HydroQuest%20Brine%20Disperal%20Letter%2011-15-11(W).pdf) DCS did not want that general statewide permit for "brine" spreading. It was defeated.

2012 - DCS collaborated with a number of NY groups to produce a tri-fold brochure on road spreading of "brine" now on our website: <http://www.damascuscitizensforsustainability.org/wp-content/uploads/2016/01/Brine-Spreading.pdf>

2013 - started developing our Oil and Gas Exploration and Production **Health and Community Impacts Survey** - now ongoing. One question about industry activities that have affected their quality of life includes about "brine" spreading.

- repeatedly filed comments in the EPA fracking water cycle study.

Many comments dealt with wastes, liquid waste disposal including material on road and land spreading, dumping of these materials. Since even before the official inception of the EPA fracking water study in 2010, we had been involved with the study. Our involvement continued until the end in late 2016 with the Final Assessment: <https://cfpub.epa.gov/ncea/hfstudy/recordisplay.cfm?deid=332990>.

**2014** - Since 2008 and through 2014 DCS had worked on the various drafts of New York's State Environmental Quality Review Act process of evaluating the potential impacts of fracking on NY and if it should be allowed. At the close of 2014, NY placed a firm regulatory hold on high volume hydraulic fracturing because of potential public health impacts. Many communities also banned frack waste within their borders also for health reasons after learning about the constituents of the waste.

**2015** - Campaigned about the radioactivity in natural gas and in the wastes. The Marcellus layer, for instance, is located by its radioactivity, but radioactivity is not tracked in the gas and very incompletely in the wastes.

**2016** - participated in research and publicity leading to the October Don Hokey Post-Gazette article: <http://www.damascuscitizensforsustainability.org/2016/11/amish-oppose-use-drilling-brine-wastewater-roads/>

- DCS led the charge to ban liquid drilling waste ("brine") use and disposal in NYC <http://www.damascuscitizensforsustainability.org/2016/08/nyc-set-ban-use-fracking-waste-water/>

2017 - compilation of information about gas and oil well production waste...known as "brine" posted on our website: <http://www.damascuscitizensforsustainability.org/toxicfracbrine/>

19. From our Survey - Question 28 Community Concerns:

**28) Community Concerns - Quality of Life**

ATFSDR wants input about how NGE&P activities have affected a community's quality of life. This includes impacts to public health, community cohesion and the ability to engage in recreational and commercial enterprises. Check all items on the list that have affected your community's quality of life since NGE&P activities began in your area.

- |   |   |
|---|---|
| <input type="checkbox"/> Lack of available housing                        | <input type="checkbox"/> Impacts on Parks and Recreational Areas (including lakes, streams and public waterfront areas) |
| <input type="checkbox"/> Increased Rents                                  | <input type="checkbox"/> Impacts to Historical/Archeological Sites  |
| <input type="checkbox"/> Increased Crime                                  | <input type="checkbox"/> Community dissension and division  |
| <input type="checkbox"/> Water Pollution                                  | <input type="checkbox"/> Change of area's distinctive nature or character   |
| <input type="checkbox"/> Air Pollution                                    | <input type="checkbox"/> Catastrophic Accidents (including blowouts, explosions or vehicle accidents)                   |
| <input type="checkbox"/> Noise Pollution                                  | <input type="checkbox"/> Spills of Hazardous Materials  |
| <input type="checkbox"/> Light Pollution (such as bright lights at night) | <input type="checkbox"/> Stress on Volunteer First Responders (fire department, ambulance services and others)          |
| <input type="checkbox"/> Traffic Congestion                               | <input type="checkbox"/> Increased Taxes  |
| <input type="checkbox"/> Deterioration of Roads                           | <input type="checkbox"/> Decreased Taxes  |
| <input type="checkbox"/> Brine-Spreading on Roads (for dust or ice)       | <input type="checkbox"/> Other (provide details below)  |
| <input type="checkbox"/> Diminished Tourism                               |   |
| <input type="checkbox"/> Loss of Green Space or Open Space                |   |

Use the comment space at the top of the next page to provide details for Question #28. Use an additional sheet for extended answers and details.

20. And also from our Survey - Question 13 Signs and Symptoms:

13

**Symptoms and Medical Information**

**13) Signs and Symptoms**

Since NGE&P activities began in your area, has a Household member (or members) experienced any of the signs and symptoms listed below? Check all that apply. Household members includes those who have moved out since the start of NGE&P. If you have test results, be sure you've checked them off at Question #3.

- |  |   |
|--|---|
| <input type="checkbox"/> Rashes, Blisters, Other Skin Changes    | <input type="checkbox"/> Restlessness   |
| <input type="checkbox"/> Headaches                               | <input type="checkbox"/> Nausea   |
| <input type="checkbox"/> Palpitations                            | <input type="checkbox"/> Vomiting   |
| <input type="checkbox"/> Loss of Appetite                        | <input type="checkbox"/> Diarrhea   |
| <input type="checkbox"/> Difficulty Breathing                    | <input type="checkbox"/> Weight Loss  |
| <input type="checkbox"/> Eye, Nose & Throat Irritations          | <input type="checkbox"/> Weight Gain  |
| <input type="checkbox"/> Burning Sensation in Chest              | <input type="checkbox"/> Sleep Disturbances                                   |
| <input type="checkbox"/> Shortness of Breath                     | <input type="checkbox"/> Hair Loss  |
| <input type="checkbox"/> Chronic Cough                           | <input type="checkbox"/> Behavioral Changes                                   |
| <input type="checkbox"/> Irregular Heartbeat                     | <input type="checkbox"/> Mood Changes (depression, anger, anxiety etc.)       |
| <input type="checkbox"/> Dizziness, Fainting, etc.               | <input type="checkbox"/> Sensory Impairment (hearing/sight/taste/touch/smell) |
| <input type="checkbox"/> Lethargy (listlessness)                 | <input type="checkbox"/> Pain   |
| <input type="checkbox"/> Muscle Weakness                         | <input type="checkbox"/> Not Sure   |
| <input type="checkbox"/> Involuntary movements (e.g. tics, etc.) |   |
- Other: \_\_\_\_\_

Use this comment space to provide details for Question #13. Use an additional sheet for extended answers and details.

21. Below are the two pages of the Hansen Services permit and the five pages of Hansen Services' detailed analysis - see paragraph 8 above.



*OG/Brine spreading/Hansen Services*

April 6, 2016

Justin Hansen DBA Hansen Svcs.  
7 Mead Blvd.  
Clarendon, PA 16311

*OAP of 3  
licensed to Sprinkle  
Farming Inc*

Re: 2016 Brine Spreading Plan Review  
Approval No. NWS916  
Whirley Drink Works, City of Warren,  
Sam Harvey Property, Sugargrove Township, Warren County

Dear Operator

The Department of Environmental Protection (DEP) has reviewed your plan for spreading brine for dust control on the above subject roads/lots. This plan for applying oil and gas well production brine to roads for dust control is approved subject to operating requirements listed below.

This Plan Approval is granted on a calendar year basis and expires on December 31, 2016.

**Operating Requirements**

1. The application of brine to unpaved roads must be performed in accordance with the approved plan.
2. The brine may only be applied at a rate and frequency necessary to suppress dust and stabilize the road. The rate and frequency of application must be controlled to prevent the brine from flowing or running off into roadside ditches, streams, creeks, lakes and other bodies of water or infiltrating to groundwater.
3. Recommended spreading rates: The road should initially be spread at a rate of up to one-half gallon per square yard (typically after the road has been graded in the spring). The road should subsequently be spread at a rate of up to one-third gallon per square yard no more than once per month unless based on weather conditions, traffic volume or brine characteristics a greater frequency is needed to control dust and stabilize the road. The application rate for race tracks and mining haul roads should be determined for each site and should not exceed one gallon per square yard.
4. Only production or treated brines may be used. The use of brine from Marcellus and other non-conventional shale formations is not applicable for roadspreading. The use of drilling, fracturing, or plugging fluids or production brines mixed with well servicing or treatment fluids, except surfactants, is prohibited. Free oil must be separated from the brine before spreading.
5. Brine must not be applied within 150 feet of a stream, creek, lake or other body of water.
6. Brine must be spread by use of a spreader bar with shut-off controls in the cab of the truck.
7. Brine must not be placed on sections of road having a grade exceeding 16 percent.
8. Brine must not be spread on wet roads, during rain, or when rain is imminent.
9. Each vehicle used to spread brine shall have a clearly legible sign identifying the applicator on both sides of the vehicle.



- 10. The company spreading the brine shall notify the appropriate regional Oil & Gas program, brine spreading coordinator the business day before spreading brine.
- 11. The producing oil and gas wells must be in compliance with the bonding requirements of the Oil and Gas Act.
- 12. The person who received approval for the roadspreading plan must submit a monthly report (2008-PM-0030046) to DEP indicating the location and amount of brine spread during the month. This monthly report must be submitted by the 15th day following the month in which the brine was spread. This report must be submitted even if no spreading took place during that month. The monthly report shall be submitted to:  
 PA DEP NWRO  
 District Oil & Gas Operations  
 230 Chestnut St.  
 Meadville PA 16335
- 13. Any revisions to the plan must be submitted to DEP for approval. Approval must be obtained prior to implementation of the revisions.
- 14. Failure to comply with all these conditions may result in DEP rescinding the plan approval.

**Reporting Requirements**

Transporters of residual waste must follow the requirements of 25 Pa. Code §299 Subchapter B (Standards for Collecting and Transporting of Residual Waste). Transporters must keep a daily operations record and file an annual operational report with DEP by March of the following year.

Oil and gas operators who generate brine must report the amount in their Annual Production Report.

This plan approval letter and its conditions should be reviewed by all parties involved in the brine spreading activity. A copy should be maintained in the cab of each vehicle used for spreading and its conditions made known to each driver.

If you have any questions, please contact me at 814.332.6174

Sincerely,

Curtis LeSuer  
 Environmental Protection Specialist  
 Oil and Gas Management

cc Rick Mader, WQS  
 Marshall Wurst, OGI  
 File

# Analytical Services, Inc.

P.O. Box 237  
Brockway, PA 15824-0237

Laboratory (814) 265-8749  
FAX (814) 265-8749

## GENERAL CHEMICAL ANALYSIS REPORT

**CUSTOMER:** Hansen Services  
7 Mead Boulevard  
Clarendon, PA 16813  
Attn: Justin Hansen

Page 1 of 5

**SAMPLE DATE:** 01/07/16 at 12:50 pm  
**RECEIPT DATE:** 01/07/16 at 8:40 pm

**REPORT DATE:** 02/10/16  
**ASI ID#:** 140587

**DESCRIPTION OF SAMPLE:** Hansen Services

**TOTAL ANALYSIS RESULTS:**

PARAMETER	RESULT	UNIT	QUANTITATION LIMIT	METHOD	BY	DATE & TIME	DATA QUALIFIER
TPH-NEM Oil & Grease	0	mg/L	0	SM 4632D	WB	01/07/16 @ 11:53 am	R3
TPH-DRO	2,420	pp/L	-	EPA 8214D	FL	02/04/16 @ 3:22 pm	3a
TPH-BRO	0,730	pp/L	-	EPA 8214D	FL	02/03/16 @ 8:12 am	3a
Nitrate-N	< 50.0	mg/L	50.0	EPA 350.0	SD	01/16/16 @ 7:47 pm	
Nitrite-N	< 50.0	mg/L	50.0	EPA 350.0	SD	01/16/16 @ 7:47 pm	
Sulfate	701	mg/L	0	EPA 300.0	SB	01/16/16 @ 7:47 pm	E1
Fluoride	< 0.5	mg/L	.10	SM 4500 F-C	CO	02/03/16 @ 11:16 am	
Bromide	003	mg/L	0.1	EPA 300.0	SD	01/16/16 @ 7:47 pm	
Dissolved Phosphorus	< 0.15	mg/L	.15	SM 4300 P-D, P-E	WB	02/10/16 @ 10:20 am	
Dissolved Vanadium	< 0.500	mg/L	0.500	EPA 230.0	CH	02/03/16 @ 4:48 pm	
Dissolved Zinc	< 0.500	mg/L	0.500	EPA 200.0	CH	02/03/16 @ 4:48 pm	
Dissolved Titanium	< 0.500	mg/L	0.500	EPA 200.0	CH	02/03/16 @ 4:48 pm	
Dissolved Barium	88.1	mg/L	0.500	EPA 200.0	CH	02/03/16 @ 4:48 pm	
Dissolved Tin	< 0.500	mg/L	0.500	EPA 200.0	CH	02/03/16 @ 4:48 pm	
Dissolved Selenium	< 0.500	mg/L	0.500	EPA 200.0	CH	02/03/16 @ 4:48 pm	
Dissolved Antimony	< 0.500	mg/L	0.500	EPA 200.0	CH	02/03/16 @ 4:48 pm	
Dissolved Lead	< 0.500	mg/L	0.500	EPA 200.0	CH	02/03/16 @ 4:48 pm	
Dissolved Nickel	< 0.500	mg/L	0.500	EPA 200.0	CH	02/03/16 @ 4:48 pm	
Dissolved Sodium	24,700	mg/L	500	EPA 200.0	CH	02/04/16 @ 1:20 pm	
Dissolved Molybdenum	< 0.500	mg/L	0.500	EPA 200.0	CH	02/03/16 @ 4:48 pm	
Dissolved Manganese	5.40	mg/L	0.500	EPA 200.0	CH	02/03/16 @ 4:48 pm	
Dissolved Magnesium	1,230	mg/L	500	EPA 200.0	CH	02/04/16 @ 1:20 pm	
Dissolved Lithium	4.1	mg/L	"	SM 3111D	CO	02/03/16 @ 4:00 pm	
Dissolved Potassium	82.6	mg/L	10.0	EPA 200.0	CH	02/04/16 @ 12:00 pm	
Dissolved Iron	62.6	mg/L	10.0	EPA 200.0	CH	02/03/16 @ 4:48 pm	
Dissolved Copper	0.783	mg/L	0.5	EPA 200.0	CH	02/03/16 @ 4:48 pm	
Dissolved Chromium	< 0.500	mg/L	0.5	EPA 200.0	CH	02/03/16 @ 4:48 pm	

R3: No duplicate due to insufficient sample volume.  
 3a: Diluted sample result exceeded the calibrated range and high CQV, but is within the Linear Calibration Range. Concentration is considered an estimate.  
 3a: this sample was received outside the EPA recommended holding time.

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## GENERAL CHEMICAL ANALYSIS REPORT

**CUSTOMER:** Hansen Services  
7 Mead Boulevard  
Clarendon, PA 16813  
**Attn:** Justin Hansen

Page 2 of 6

**SAMPLE DATE:** 01/07/16 at 12:50 pm  
**RECEIPT DATE:** 01/07/16 at 5:40 pm

**REPORT DATE:** 02/10/16  
**ABI ID#:** 149907

**DESCRIPTION OF SAMPLE:** Hansen Services

**TOTAL ANALYSIS RESULTS:**

PARAMETER	RESULT	UNIT	QUANTIFICATION LIMIT	METHOD	BY	DATE & TIME	DATA QUALIFIER
Dissolved Cobalt	<0.050	mg/L	5	GM 6500B	CH	02/03/16 @ 4:45 pm	
Dissolved Cadmium	<0.100	mg/L	50.0	EPA 300.0	CH	02/03/16 @ 4:40 pm	
Dissolved Chromium	<0.100	mg/L	50.0	EPA 300.0	CH	02/03/16 @ 4:40 pm	
Dissolved Barium	1.47	mg/L	5	EPA 300.0	CH	02/03/16 @ 4:40 pm	
Dissolved Boron	8.97	mg/L	.15	GM 4500 F-0	CH	02/03/16 @ 12:09 pm	
Dissolved Arsenic	0.645	mg/L	0.1	EPA 800.0	CH	02/03/16 @ 4:45 pm	
Dissolved Aluminum	0.835	mg/L	0.100	EPA 200.0	CH	02/03/16 @ 4:40 pm	
Total Inorganic Carbon	37.8	mg/L	0.5	GM 6210B	WB	02/03/16	
TDC	271.6	mg/L	0.5	GM 6210B	WB	02/03/16	
Hardness	62.600	mg/L	5350	GM 2540B	CH	02/04/16 @ 1:07 pm	
Alkalinity (o pH 4.5 as CaCO <sub>3</sub> )	0.0	mg/L	1	GM 2540B	PW	01/07/16 @ 12:00 pm	
Barium	1.51	mg/L	0.500	EPA 200.0	CH	02/03/16 @ 4:40 pm	
TDS	81.860	mg/L	10	GM 2540B	PW	01/07/16 @ 8:45 am	
Iron	0.50	mg/L	.050	EPA 200.0	CH	02/04/16 @ 1:05 pm	
Chloride	62.167	mg/L	5	EPA 300.0	ES	01/16/16 @ 7:47 pm	
Magnesium	1.270	mg/L	50.0	EPA 200.0	CH	02/04/16 @ 1:05 pm	
Iron	118	mg/L	10.0	EPA 300.0	CH	02/03/16 @ 4:40 pm	
Sodium	23,100	mg/L	500	EPA 300.0	CH	02/04/16 @ 1:05 pm	
Conductivity	110,700	mg/L	0.1	GM 2510B	WB	01/07/16 @ 1:00 pm	
Specific Gravity	1.020	mg/L	-	-	WB	02/03/16	
Sulfide	2.0	mg/L	0.05	GM 4500 S-0	WB	02/03/16 @ 10:00 am	
Temperature	2.4	°C	-	GM 1560B	MC	01/07/16 @ 0:40 pm	
Dissolved Oxygen	1.70	mg/L	-	GM 4300 O-02	MC	01/07/16 @ 6:45 pm	
Density	1.000	D.O.	-	-	MC	01/07/16 @ 6:40 pm	
pH (mV)	8.83	-	-	GM 4500 H-02	MC	01/07/16 @ 6:40 pm	



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## GENERAL CHEMICAL ANALYSIS REPORT

**CUSTOMER:** Hansen Services  
7 Mead Boulevard  
Clarendon, PA 18313  
Attn: Justin Hansen

Page 3 of 8

**SAMPLE DATE:** 01/07/18 at 12:50 pm  
**RECEIPT DATE:** 01/07/18 at 8:40 pm

**REPORT DATE:** 02/10/18  
**ASI ID#:** 140667

**DESCRIPTION OF SAMPLE:** Hansen Services

### TOTAL ANALYSIS RESULTS.

PARAMETER	RESULT	UNIT	QUANTITATION LIMIT	METHOD	BY	DATE
Iron (Total)	YES	-	-	Hsl	WB	01/07/18, Rechecked 01/10/18

We certify that the above reported values were obtained by use of procedures appropriate for the sample as submitted.

By: William J. Sabatone Date: 02/10/18

For: William J. Sabatone, Chief Chemical Analyst

PADEP LAB ID#: 33-00411



# Analytical Services, Inc.

P.O. Box 237  
Brockway, PA 15824-0237

Laboratory (814) 285-8749  
FAX (814) 285-8749

## CHEMICAL ANALYSIS REPORT

CUSTOMER Hansen Services  
7 Mead Blvd  
Clarendon PA 16313

AS# ID#: 140667  
SAMPLE DATE: 01/07/16 @ 12:50  
RECEIVED: 01/07/16 @ 17:40  
REPORTED: 02/09/16

ATTN: Justin Hansen

### SAMPLE DESCRIPTION:

### TOTAL ANALYSIS RESULTS:

Parameter	Results	Units	Reporting Limit	Method	Date Analyzed	Time	Qualifier
1,3,5-trimethylbenzene	59.3	µg/L	10.0	SW 846-8260B	02/02/16	23:27	3a
1,2,4-trimethylbenzene	129	µg/L	10.0	SW 846-8260B	02/02/16	23:27	3a
Benzene	2666	µg/L	25.0	SW 846-8260B	02/02/16	17:53	3a
Toluene	1876	µg/L	25.0	SW 846-8260B	02/02/16	17:53	3a
Ethylbenzene	99.2	µg/L	10.0	SW 846-8260B	02/02/16	23:27	3a
Xylenes (total)	857	µg/L	10.0	SW 846-8260B	02/02/16	23:27	3a
propylbenzene	< 10.0	µg/L	10.0	SW 846-8260B	02/02/16	23:27	3a
Naphthalene	10.2	µg/L	10.0	SW 846-8260B	02/02/16	23:27	3a
iso-butylbenzene	< 10.0	µg/L	10.0	SW 846-8260B	02/02/16	23:27	3a
tert-butylbenzene	< 10.0	µg/L	10.0	SW 846-8260B	02/02/16	23:27	3a

Sample analyzed by Fairway Laboratories PA Lab # 07-003

Qualifier 3a - This sample was received outside the EPA recommended holding time.

We certify that the above reported values were obtained by use of procedures appropriate for the sample as submitted.

Reviewed and Approved By William Sabatose  
For William Sabatose, Chief Chemical Analyst

PADEP LAB ID#: 33-00411



# Analytical Services, Inc.

P.O. Box 237  
Brookway, PA 15524-0237

Laboratory (814) 265-8749  
FAX (814) 265-8749

## CHEMICAL ANALYSIS REPORT

CUSTOMER: Hansen Services  
7 Mead Blvd.  
Gorendon, PA 18313

ASI ID#: 140887  
SAMPLE DATE: 01/07/16 @ 12:50  
RECEIVED: 01/07/16 @ 17:40  
REPORTED: 02/09/16

ATTN: Justin Hansen

### SAMPLE DESCRIPTION:

### TOTAL ANALYSIS RESULTS:

Parameter	Results	Units	Reporting Limit	Method	Date Analyzed	Time	Qualifier
Phenol	< 40.0	µg/L	40.0	SW 846-82700	02/03/16	14:52	1a, 2d
Acetophenone	< 20.0	µg/L	20.0	SW 846-82700	02/03/16	14:53	3a, 2d
3,4-dimethylphenol	124	µg/L	20.0	SW 846-82700	02/03/16	14:53	3a, 2d
2-methylphenol	101	µg/L	20.0	SW 846-82700	02/03/16	14:53	3a, 2d

Sample analyzed by Fairway Laboratories, PA Lab # 07-002

Qualifier 1a: This sample was received outside the EPA recommended holding time.

Qualifier 2d: The LCS spike recovery was outside acceptance limits for the noted analyte. Data accepted based on additional batch LC.

We certify that the above reported values were obtained by use of procedures appropriate for the sample as submitted.

Reviewed and Approved By: William Sabatosa  
For: William Sabatosa, Chief Chemical Analyst

PADEP LAB ID#: 33-00411

I declare subject to the penalties of 18 Pa. C.S. § 4904 regarding unsworn falsification to authorities that the foregoing is true and correct to the best of my personal knowledge.

*B. Arrindell*  
Barbara Arrindell

February 6, 2018  
Date





Citizens for Sustainability Inc. ("DCS"), that she is authorized to make this verification on behalf of DCS, and that the facts set forth in the Petition to Intervene filed by Damascus Citizens for Sustainability, Inc., are true and correct to the best of her knowledge, information and belief subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

*B. Arrindell*

**BARBARA ARRINDELL**



### Certificate of Service

On today's date, February 9, 2018, I, John J. Zimmerman, certify that I served by electronic mail on all counsel other than Michael Braymer (for whom I do not have an email address) copies of a Petition to Intervene by Damascus Citizens for Sustainability, Inc. , Brief in Support of this petition, Affidavit of Ms. Barbara Arrindell in support of the Petition, Affidavit of Ms. Siri Lawson in support of the Petition, Proposed Order granting the Petition, and a Verification by Ms. Arrindell. Copies of these materials in paper format were served on Mr. Braymer by USPS first class mail.

/s/ John J. Zimmerman

